

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MARK MONSHER,

Petitioner,

v.

THOMAS DICKHAUT,

Respondent.

Civil Action No. 10-12173-NMG

REPORT AND RECOMMENDATION ON  
PETITION FOR WRIT OF HABEAS CORPUS

June 21, 2012

BOAL, M.J.

On December 14, 2010, Mark Mosher (“Mosher”),<sup>1</sup> who is currently serving a life sentence in a Massachusetts correctional facility, petitioned this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, as amended by the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA) (“Petition”). (Docket No. 1). The Respondent, Thomas Dickhaut, opposes the Petition. (Docket No. 16).

In his Petition, Mosher relies on the following basis for habeas relief: (1) his Sixth Amendment right to effective counsel was violated because his counsel had a conflict of interest (Petition at 6-7, 23); and (2) his Sixth Amendment right to effective counsel was violated

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<sup>1</sup> Petitioner’s last name is misspelled in the caption of the case. The correct spelling is Mosher. Accordingly, the Court will refer to petitioner as Mosher, except when referencing the caption of the case, which has not been formally amended.

*Report and Recommendation accepted and  
adopted. J/M Gorton, USDI 7/27/12*